

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 13-16

Introduced by: Council Member McMahan, President Boniface, and Council Members Woods and Guthrie

Legislative Day No. 13-9 Date March 19, 2013

AN ACT to repeal and reenact, with amendments, Subsection C, Specific Regulations, of Section 267-59, B1 B2 and B3 Business Districts, of Article VII District Regulations; and to repeal and reenact, with amendments, Subsection B, Board Approval, of Section 267-68, Approval, of Article VIII Design Standards for Special Developments, both of Part I, Standards, of Chapter 267 Zoning of the Harford County Code, as amended; to define and broaden the scope of regulations and approvals for General Merchandise and Shoppers Merchandise structures 75,000 square feet and over; and generally relating to Zoning.

As Introduced

By the Council, March 19, 2013

Introduced, read first time, ordered posted and public hearing scheduled

on: April 16, 2013

at: 7:00 PM

By Order: Pamela Meester, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland that Subsection C, Specific Regulations, of Section 267-59, B1, B2, and B3 Business Districts, of Article VII, District Regulations, and Subsection B, Board Approval, of Section 267-68, Approval, of Article VIII, Design Standards for Special Developments, both of Part I, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended, be, and they are hereby, repealed and reenacted, with amendments, all to read as follows:

Chapter 267. Zoning Code

Part I. Standards

Article VII. District Regulations

§ 267-59. B1, B2 and B3 Business Districts.

C. Specific regulations. The following uses are permitted in each business district, subject to the additional requirements below:

(1) Agriculture. On a lot of 2 acres or more, all buildings associated with this use, including farmhouses, barns and silos, shall meet the required minimum setbacks for principal uses.

(2) Residential uses as accessory uses, in accordance with the following:

(a) Not more than 1 dwelling unit for any business lot, provided that said lot is a minimum of 20,000 square feet.

(b) The dwelling unit shall conform to the setback requirements of the principal use.

(3) Shopping center provided that it contains less than 75,000 square feet. Shopping centers over 75,000 square feet shall be developed as an integrated community shopping center (ICSC) in accordance with § 267-79 (Integrated community shopping center (ICSC)).

(4) GENERAL MERCHANDISE AND SHOPPERS MERCHANDISE STRUCTURE, PROVIDED THAT IT CONTAINS LESS THAN 75,000 SQUARE FEET. GENERAL MERCHANDISE AND SHOPPERS MERCHANDISE_STRUCTURES 75,000 SQUARE FEET AND OVER SHALL BE DEVELOPED IN ACCORDANCE WITH §267-79 [INTEGRATED COMMUNITY SHOPPING CENTER (ICSC)] AND SHALL BE SUBJECT TO BOARD APPROVAL IN ACCORDANCE WITH §267-68B (BOARD APPROVAL OF DESIGN STANDARDS FOR SPECIAL DEVELOPMENTS).

[(4)] (5) Lot coverage. The building coverage and impervious surface standards shall be as follows:

[Amended by Bill No. 09-31]

<u>Maximum Building Coverage(percent of total lot)</u>			
<u>District</u>	<u>Individual Uses or Shopping Center</u>	<u>Integrated Community Shopping Center</u>	<u>Maximum Impervious Surface For All Uses(percent of total lot)</u>
<u>B1</u>	<u>25%</u>	<u>N/A</u>	<u>80%</u>
<u>B2</u>	<u>30%</u>	<u>40%</u>	<u>85%</u>
<u>B3</u>	<u>35%</u>	<u>45%</u>	<u>85%</u>

Note: The maximum building coverage and impervious surface shall be reduced where required by the Chesapeake Bay Critical Area or Water Source Protection Districts.

[(5)] (6) Modification of height requirement. Maximum building height may be exceeded if side and rear yards are increased in width and depth by 1 additional foot for every 1 foot of excess height.

[(6)] (7) Use limitations. The permitted uses in the business districts shall comply with the following:

- (a) Enclosed building. All uses permitted, except secondhand merchandise shops in a B3 District, shall be conducted within an enclosed building, except parking, loading, unloading, incidental storage and display or as otherwise permitted.

1 Secondhand merchandise shops in a B3 District shall be permitted to conduct such
2 uses outside of the building between the hours of 8:00 a.m. and 5:00 p.m.

3 (b) Storage restriction. Outside storage of material or equipment shall not be
4 permitted in the B1 and B2 Districts. Outside storage shall be permitted in the B3
5 District, provided that such storage does not cover more than 35% of the lot area
6 and shall not be within the required front yard. Outside storage for the following
7 uses may exceed 35% of the lot area when located not less than 200 feet from any
8 residential district.

9 (1) Building material sales yards, including concrete mixing; lumberyard,
10 including millwork; contractor's equipment storage yard or plant or rental of
11 equipment commonly used by contractors; storage and sale of livestock feed
12 and/or solid fuel, provided that dust is effectively controlled; storage yards
13 for vehicles of a delivery or draying service; and public utility yards for
14 construction, maintenance or storage.

15 (2) Carnivals, circuses, concerts or public events.

16 (3) Flammable liquids, underground storage only, not to exceed 25,000
17 gallons.

18 (4) Liquefied petroleum products, provided that said products are stored in
19 tanks which meet the American Society of Mechanical Engineers Code
20 design approval and said storage shall comply with the rules and regulations
21 of the latest edition of the NFPA No. 58 standard for the storage and
22 handling of liquefied petroleum gases, including any revisions thereof, and

1 that the extent of such installation shall not exceed 30,000 gallons water
2 capacity.

3 (5) Secondhand merchandise shops in a B3 District, provided that such
4 products shall not be stored outside after 5:00 p.m.

5 (6) All outside storage shall be fully buffered from view of adjacent
6 residential lots and public roads.

7 [(7)] (8) Motor vehicle filling or service stations and repair shops, in the B2
8 and B3 Districts, provided that:

9 (a) Pumps shall be at least 25 feet from all road rights-of-way.

10 (b) All portions of the lot used for storage or service of motor
11 vehicles shall be paved with a hard surface.

12 (c) No obstructions which limit visibility at intersections or
13 driveways shall be permitted.

14 (d) Vehicles, except those vehicles used in the operation of the
15 business, may not be stored on the property for more than 90
16 calendar days.

17 (e) Motor vehicle filling or service stations shall only be permitted if
18 all properties adjacent to the proposed use are served by a public
19 water supply.

20 [(8)] (9) Housing for the elderly in the B2 and B3 Districts when developed
21 in accordance with Article VIII.

22 [(9)] (10) Rubble landfills are permitted in accordance with § 267-90
23 (Rubble landfills).

1 [[10]] (11) Adult bookstores and/or entertainment centers. These uses are
2 limited to the B3 District upon the condition that:

3 (a) No lot on which such establishment is located shall be located within 1,000 feet
4 of any institutional or residential use as listed on the appropriate use tables.

5 (b) The merchandise shall be arranged to ensure that no merchandise depicting,
6 describing, showing or relating to sexual conduct, sexual excitement,
7 sodomasochistic abuse or human genitalia is visible from the outside of the
8 establishment.

9 (c) No use shall be located within 1,000 feet of an existing adult bookstore/adult
10 entertainment center.

11 (d) The hours of operation shall not include any time periods between midnight and
12 6:00 a.m.

13 **ARTICLE VIII. Design Standards for Special Developments**
14

15 **§ 267-68. Approval.**

16 B. Board approval. The following special developments shall be subject to approval of the Board
17 pursuant to this section and § 267-9 (Board of Appeals):

18 (1) Planned residential development.

19 (2) Mobile home park.

20 (3) The location on a parcel or a portion thereof for a proposed ICSC. The development
21 plans for any integrated community shopping centers shall be approved by the Director of
22 Planning in accordance with this article.

23 (4) The location on a parcel or portion thereof for a Chesapeake Science and Security
24 Corridor shopping center over 100,000 square feet.

(5) GENERAL MERCHANDISE AND SHOPPERS MERCHANDISE STRUCTURES
75,000 SQUARE FEET AND OVER.

Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the
date it becomes law.

EFFECTIVE:

*The Council Administrator does hereby certify that
fifteen (15) copies of this Bill are immediately available for
distribution to the public and the press.*



Council Administrator

As Introduced

USE CLASSIFICATION	ZONING DISTRICTS															
RETAIL TRADE	AG	RR	R1	R2	R3	R4	RO	VR	VB	B1	B2	B3	CI	LI	GI	MO
Agricultural retail	P						SE		P	P	P	P	P			
Antique shops, art galleries and museums	SE						SD		P	P	P	P	P			P
Auction houses, animal and agricultural related products	SE								SE			SE	P		P	
Auction houses, non agricultural related									P		P	P	P		P	
Christmas tree sales	T	T	T	T	T	T		T	T	T	T	T	T		T	
Convenience goods stores						SD			P	P	P	P	P			P
Farm Market, Private	SD															
Farmers co-ops	P								P	P	P	P	P		P	
Feed and grain mills	P								P				P		P	
Feed and grain - storage and sales	SD								P							
General merchandise stores												P	P			
GENERAL MERCHANDISE STORES 75,000 SQUARE FEET AND OVER												SD				
Hawkers and peddlers									T		T	T	T			
Integrated Community Shopping Centers (ICSC)											SD	SD	SD			
Liquor stores									P		P	P	P			P
Mixed Use Center						SD				SD	SD	SD	SD	SD	SD	
Shopping centers										P	P	P	P			
Shoppers merchandise stores							SD(4)		P		P	P	P			P(5)
SHOPPERS MERCHANDISE STORES 75,000 SQUARE FEET AND OVER											SD	SD				
Specialty shop							SD		P	P	P	P	P			P

PERMITTED USE CHART:

- (1) Indicates permitted in the Edgewood Neighborhood Overlay District only.
(2) RO - maximum of 4 units.
(3) Indicates permitted in the Chesapeake Science and Security Corridor (CSSC) only.
(4) The following shoppers merchandise stores-business and office equipment rental or leasing, business equipment sales, party supply shops, photography equipment and supply shops, and medical equipment rental and sales, are permitted in the RO District.
(5) indicates that only apparel and accessories and communication equipment sales and service are permitted as shoppers merchandise stores within the MO district.

KEY:

"P"	indicates permitted subject to applicable code requirements
"SD"	indicates permitted subject to special-development regulations, pursuant to Article VIII.
"SE"	indicates permitted subject to special-exception regulations, pursuant to Article IX.
"T"	indicates permitted subject to temporary-use regulations, pursuant to § 267-28 (temporary uses).
	A blank cell indicates that the use is not permitted.
"SE*"	indicates permitted subject to special-exception regulations, pursuant to Article XI.